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FAX TRANSMITTAL

DATE & TIME:

Monday, August 25, 2003

FAX NUMBER:

sabella (703) 305-3580

TO: Examiner David J. Isabella

Group 3738 – USPTO

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FROM:

David B. Murphy

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MESSAGE

Please hand-deliver to Examiner Isabella and confirm receipt by return facsimile. Thank you.

IF YOU DID NOT RECEIVE ALL PAGES, PLEASE CALL Denise Doss at (949) 737-2970, OR OUR FAX DEPARTMENT AT (949) 737-2981.

FILE NO.: USER NO.: 491,920-029

13361

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RESPONSIBLE ATTY NAME: SPECIAL INSTRUCTIONS:

David B. Murphy

LOCATION:

IR

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Patent

P.02

Attorney Docket: 491,920-029

(prev 263/103)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

WALTER J. LEDERGERBER

Serial No.: 09/813,091

Filed: March 19, 2001

For: DUAL-SIDED, TEXTURIZED BIOCOMPATIBLE STRUCTURE

Group Art Unit: 3738

Examiner: David J. Isabella

REPLY UNDER 37 CFR § 1.116 EXPEDITED PROCEDURE TECHNOLOGY CENTER 2800

<u>AMENDMENT TRANSMITTAL - UNDER RULE 1.116</u>

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for the above-identified application.

(months)		E FOR SMALL ENTITY	R OTHER THAN ALL ENTITY
1 month		\$55.00	\$110.00
2 months		\$205.00	\$410.00
3 months		\$465.00	\$930.00
4 months	ā	\$725.00	\$1,450.00
5 months		\$985.00	\$1,970.00

CERTIFICATE OF FACSIMILE (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to (703) 305-3580 on the date shown below addressed to the Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit

Signature of Person Mailing Paper

IR1:1046951.1

Patent

Attorney Docket: 491,920-029

(prev 263/103)

No Extension Fees are believed due

FEES FOR CLAIMS:

Applicant claims small entity status pursuant to 37 CFR 1.27.

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below:

32	_	115 = 0	х	\$18.00	0
2	-	7 = 0	х	\$84.00	0
\$280	(if	applicable)			
CALCU	LATI	ONS			0
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- Additional Documents Attached Hereto: Declaration of Dr. Walter J. Ledergerber, M.D. Under 37 CFR 1.132 and Declaration of David B. Murphy
- ☐ Charge O'Melveny & Myers' Deposit Account No. 500639 in the amount of
- The Commissioner is authorized to charge O'Melveny & Myers' Deposit Account No. 500639 for any fees required under 37 CFR §§ 1.16 and 1.17 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account 500639.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: Aug. 25, 2003

By

David B. Murphy Reg. No. 31,125

Attorneys for Applicant

DBM/dnd

34263
PATENT TRADEMARK OFFICE

O'Melveny & Myers LLP 114 Pacifica, Sulte 100 Irvine, CA 92618-3315 (949) 737-2900

949 737 2300

Patent Patent

Patent

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AMENDMENT UNDER RULE 1.116

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is in response to the Final Office Action mailed July 11, 2003.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

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(37.0)	F.R. §1.8a)
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ang 25, 2003	
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IR1:1046752.1	